

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JONATHAN L. LIEBZEIT,

Plaintiff,

v.

MICHAEL THURMER and SAM APPAU,

Defendants.

ORDER

10-cv-170-slc

The parties have completed briefing a second round of summary judgment motions. On September 22, 2011, plaintiff Jonathan Liebreit filed a motion to strike the August 22, 2011 affidavit of attorney Jody Schmelzer along with the portion of plaintiff's deposition attached as an exhibit to the affidavit. Plaintiff argues that the affidavit failed to comply with the court's preliminary pretrial conference order and Federal Rules of Civil Procedure 30 and 56. The court did not set a response deadline for this motion, and defendants have not responded other than providing the full transcript of plaintiff's deposition, which I note includes a certification page that is not signed by the deposition officer. I will give defendants a short time to respond to plaintiff's arguments in light their submission of the full but unsigned transcript. Accordingly, IT IS ORDERED that defendants have until January 11, 2012 to submit a brief in response to plaintiff's motion to strike, dkt. 160.

Entered this 4th day of January, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge